



# CAREER EXECUTIVE ASSIGNMENT

## STATE BOARD OF EQUALIZATION

450 N Street  
Sacramento  
California 95814

TDD information California Relay  
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## AMENDED

**DEPARTMENT:** California State Board of Equalization

**POSITION TITLE:** Chief Counsel II, CEA  
Legal Department

**LOCATION:** Sacramento

**SALARY:** \$8654 – \$9731  
(Eligible for pay differential of 2.62% per pay period.)

**FINAL FILING DATE:** **January 26, 2005 (by 4:00 P.M.)**

### DUTIES AND RESPONSIBILITIES:

The Chief Counsel II, CEA, Legal Department serves as the principal legal advisor to the State Board of Equalization, the Executive Director, and Board of Equalization Management. The Chief Counsel II, CEA plans, organizes, directs, and manages the activities of the Legal Department with respect to the application of business taxes (Sales and Use Taxes and Special Taxes laws), property taxes, settlement and administration, and for appeals of petitions for re-determination and claims for refund arising under the laws administered and enforced by the Board of Equalization. The position is also responsible for formulating, assisting, and/or developing policies within the Board of Equalization's legal area of responsibility and makes recommendations on existing or proposed tax legislation.

The Chief Counsel II, CEA directly supervises four (4) Assistant Chief Counsels in the Business Taxes Division, Property Taxes Division, Settlement and Administration Division, Offers In Compromise Section, and the Appeals Division. In addition, supervises the Investigations Division and the Internal Security and Audit Division.

### MINIMUM QUALIFICATIONS:

All applicants must have permanent California State Civil Service status or service as a legislative employee meeting the criteria in Government Code section 18990, or as an exempt employee in the Executive Branch meeting the criteria in Government Code section 18992, or a legislative or non-elected exempt executive branch employee meeting the criteria in Government Code section 18993. In addition, applicants must satisfy the following minimum qualifications:

Applicants for this position must meet the following experience requirements by January 26, 2005:

Active membership in the State Bar of California.

**and  
Either I**

One year of experience in the California state service performing legal duties\* at a level of responsibility equivalent to Assistant Chief Counsel.

**or II**

Two years of experience in the California state service performing legal duties\* at a level of responsibility equivalent to Staff Counsel, Range D; and current employment in a class at a level equivalent to that of Senior Staff Counsel (Specialist) or (Supervisor).

**or III**

One year of experience in the California state service performing legal duties\* at a level of responsibility equivalent to Senior Staff Counsel (Specialist) or (Supervisor).

**MINIMUM QUALIFICATIONS:** (Continued)

**or IV**

Broad and extensive experience (more than five years) in the practice of law\*. (Experience in California state service applied toward this requirement must include the same number of years of qualifying experience as required in Patterns I, II or III above performing the duties of a class at a level of responsibility equivalent to that described in Patterns I, II, or III.)

Note: Tax Counsel, Range D is equivalent to Staff Counsel, Range D.

Tax Counsel III (Specialist) or (Supervisor) are equivalent to Senior Staff Counsel (Specialist) or (Supervisor).

\* Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to the Bar.

**DESIRABLE QUALIFICATIONS:**

1. Experience analyzing legal problems and recommending actions based on knowledge of accepted tax theories, administrative capabilities and political reality.
2. Demonstrated ability to recognize and understand a political environment and the consequence of actions. Understanding the roles and responsibilities of constitutionally elected Board Members.
3. Knowledge of the legislative process, the inclinations of the Office of Administrative Law and the general requirements and views of the control agencies, such as the State Personnel Board, Department of Personnel Administration, Department of Finance and the Board of Control.
4. Experience acting as an impartial arbiter when considering the competing needs and requests of the employees in the various tax programs in which the Legal Department is involved.
5. Demonstrated knowledge of disclosure laws.
6. Demonstrated knowledge of internal auditing techniques, policies, and procedures.
7. Demonstrated knowledge of criminal and civil laws related to tax fraud investigations.
8. Demonstrated knowledge of taxation, tax laws, rules, and regulations administered by the State Board of Equalization, including related legal opinions and court decisions.
9. Demonstrated management and administrative leadership skills, including the ability to facilitate the establishment of priorities.
10. Demonstrated knowledge of personnel and labor laws related to Workers' Compensation, Family Medical Leave Act, appeals, adverse actions, and administrative processes.
11. Demonstrated ability to communicate with others as demonstrated by strong written and verbal communications skills; strong negotiating skills; and particularly the ability to represent the Board of Equalization effectively - both internally and with the public.
12. Familiarity with the Franchise Tax Board and the Employment Development Department.
13. In addition to the above, the following knowledge and abilities are expected to be obtained with extensive managerial and program administrative experience which has included substantial responsibility for a combination of management functions such as program planning; policy formulation; organization coordination and control; and fiscal and personnel management. (experience may have been paid or volunteer; in State service, other government settings, or in a private organization).

**KNOWLEDGE OF:**

- The organization and functions of California State Government including the organization and practices of the Legislature and the Executive Branch.
- Principles, practices, and trends in public administration, organization and management.
- Techniques of organizing and motivating groups.

**DESIRABLE QUALIFICATIONS:** (Continued)

- Program development and evaluation.
- Methods of administrative problem solving.
- Principles and practices of policy formulation and development.
- Personnel management techniques.
- The Board of Equalization's Equal Employment Opportunity Program objectives and a manager's role in the Equal Employment Opportunity Program and the processes available to meet equal employment opportunity objectives.

**ABILITY TO:**

- Plan, organize, and direct the work of the multidisciplinary professional and administrative staff.
- Analyze administrative policies, organization, procedures and practices.
- Integrate the activities of a diverse program, to attain common goals.
- Gain the confidence and support of top level administrators and advise them on a wide range of administrative matters.
- Develop cooperative working relationships with representatives of all levels of government, the public, and the Legislative and Executive Branches.
- Analyze complex problems and recommend effective courses of action.
- Prepare and review reports.
- Effectively contribute to the Board of Equalization's equal employment opportunity objectives.
- Work in a high-rise building.

**DESIRABLE CHARACTERISTICS:**

1. Creativity and Innovation – Applies new ways of thinking. Has the ability to solve problems, create new ideas, and develop new approaches to achieve the Board of Equalization's mission.
2. Vision – Understands the context and mission of the Board of Equalization both internal and external. Has an awareness of the Board of Equalization's critical issues, and anticipates and influences the future. Has the ability to organize for success; understands how to facilitate functional needs and structure to achieve strategic plans.
3. Credibility and Integrity – Understands internal and external customers and has a true desire to build credibility. Has a personal compass composed of clear principles and the flexibility to balance between literal adherence to rules and the use of policy as a guide. Has the ability to make sound decisions and be accountable for those decisions.
4. Teamwork – Cooperates to achieve the Board of Equalization's mission, goals and values, and encourages diversity of opinions. Has the ability to enhance his/her own ability and the ability of others to contribute.
5. Communications – Has a clear expression of ideas, thoughts, and expectations; and is an active and empathic listener. Understands that people process information differently; takes initiative to build relationships; understands cultural differences.
6. Staff Development – Recognizes that people are the Board of Equalization's most valuable resource. Can identify and define the needs of the Board of Equalization, attract the appropriate candidates, evaluate, and select the most qualified people. Takes the time to develop and encourage staff to achieve their true potential.

**EXAMINATION INFORMATION:**

The examination process may consist of two phases. Phase One - an application, resume and statement of qualification rating. The applications will be rated on the basis of the preceding minimum and desirable qualifications. If necessary, Phase Two - a Qualification Appraisal Interview, which may include a structured question or a written proficiency test. **Those applicants who applied previously for this examination with the final filing date of October 18, 2004 or November 15, 2004, do not need to reapply for this examination.** Based on the competitive group, the most qualified candidates may be scheduled for a hiring interview. The Board Members and the Executive Director will make the final selection.

The results of this examination may be used to make additional appointments to Career Executive Assignment positions that are substantially the same as this position, for a period of one year following the date of the eligibility list for this exam.

**FILING INSTRUCTIONS:**

All interested applicants must file a standard State application form (STD 678), resume with references, and **a statement specifying how each of the minimum and desirable qualifications are met.** All materials must be received by the Examination and Recruitment Section by the final filing date and time. Faxes will be accepted, however, the originals must be received prior to the start of the examination. Applications postmarked, personally delivered, faxed, or received via interoffice mail after 4:00 P.M. on the final filing date of January 26, 2005, will not be accepted. Submit to: Examination and Recruitment Section, State Board of Equalization, 450 N Street, MIC: 17, Sacramento, California 95814, Attention: Terri Deane.

**ALL APPLICATION MATERIALS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE FINAL FILING DATE OF JANUARY 26, 2005.** Questions concerning this examination should be directed to Terri Deane at (916) 323-9562 or CALNET 473-9562.